

U.S. DISTRICT COURT  
DISTRICT OF VERMONT  
FILED

2008 FEB 21 AM 9:06

## UNITED STATES DISTRICT COURT

DISTRICT OF

VERMONT

BY

CLERK

DEPUTY CLERK

UNITED STATES OF AMERICA

V.

MICHAEL WOODLEY

## CRIMINAL COMPLAINT

Case Number:

2:08mj-11-1

(Name and Address of Defendant)

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about February 2008 in Chittenden County, in the (Date) District of Vermont defendant(s) did,

(Track Statutory Language of Offense)

use a facility or means of interstate commerce to knowingly attempt to persuade, induce, entice or coerce an individual who has not attained the age of 18 years, to engage in sexual activity for which he can be charged with a criminal offense.

in violation of Title 18 United States Code, Section(s) 2422(b)

I further state that I am a(n) Detective and that this complaint is based on the following facts:

Official Title

See attached Affidavit

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Signature of Complainant

Andrew Chaulk

Printed Name of Complainant

Sworn to before me and signed in my presence,

2/20/2008

Date

Jerome J. Niedermeier

Name of Judge

US Magistrate Judge

Title of Judge

at S, Burlington

City

VT

State

Signature of Judge

AFFIDAVIT

I, Andrew Chaulk, having been duly sworn, depose and state:

1. I am a Detective with the South Burlington Police Department in South Burlington, VT, assigned to the Vermont Internet Crimes Against Children Task Force (Task Force). I have been a Detective since 2000 and I have been assigned to the Task Force since 2004. In my capacity as a Detective with the Task Force, I have had the opportunity to conduct, coordinate, and/or participate in several investigations relating to the sexual exploitation of children and I am familiar with the federal laws relating to the sexual exploitation of children.

2. I set forth the following as probable cause to believe that Michael Woodley used a facility or means of interstate commerce to knowingly attempt to persuade, induce, entice or coerce an individual who has not attained the age of 18 years, to engage in sexual activity for which he can be charged with a criminal offense in violation of 18 U.S.C. § 2422(b). The following is either known to me personally or has been related to me by persons having direct knowledge of the events described below. This affidavit is meant to set forth probable cause and does not include every fact known to law enforcement about the events described below.

3. On February 5, 2008, I logged into Yahoo Instant Messenger using an undercover Yahoo screen name and profile. This undercover profile indicated that I was a 14 year old female from Vermont. On this same date, while in a Yahoo chatroom, I received an unsolicited instant message from another Yahoo user utilizing the Yahoo screen name sd70mac666. During this chat, the screen name sd70mac666 appeared as "m w." This is an automated feature established by Yahoo so that during a chat the screen name (in this case "sd70mac666") often changes to the name the user provided to Yahoo when the user set up the account

(in this case "m w").

4. During this first chat with m w, m w indicated he was a 29 year old male from Vermont. I responded by telling him that I was a 14 year old female from Vermont. This first chat ended at approximately 11:59 a.m.

5. At approximately 4:42 p.m. on the same date, m w again initiated another chat me. He indicated that he lived in St. Albans and that he was separated and in the process of getting a divorce. He also asked if I had ever met anyone offline and if I had ever been kissed. From that point on, the chat became sexually explicit with m w asking me the following questions (which are reproduced as written during the chats):

how big are your tits  
you masterbate  
have you fingered yourself  
would you kiss me  
have you touched a guy's cock

6. At approximately 5:47 p.m. the following chat occurred:

m w: let's get comfortable  
undercover: k  
m w: spread your legs out a little  
undercover: ummm  
undercover: k  
m w: are your legs spread a little  
undercover: yeah  
m w: how spread out  
undercover: i dunno  
undercover: comfy like  
m w: put your hands at the bottom of your tummy  
m w: like under your shirt  
undercover: k  
m w: you doing it  
undercover: yeah  
m w: start to move down  
undercover: 2 where?

m w: down towards your waist  
undercover: k  
m w: your legs still spread  
undercover: ya  
m w: where are your hands  
undercover: on my belly  
m w: move down  
undercover: like u asked  
m w: slowly  
undercover: ummm  
m w: are you doing it  
undercover: sorta  
undercover: yeah  
m w: move down  
m w: past your waist  
m w: you there  
undercover: k  
m w: where are your hands now  
...  
undercover: theyr like on my waste  
m w: move down  
m w: with one hand move down  
undercover: k  
...  
m w: did you like it  
undercover: umm  
undercover: yeah mayb...  
m w: would you do it again  
undercover: proolly  
m w: do something before you go  
undercover: what  
m w: touch your clit

7. On February 6, 2008, m w initiated another chat with me. Similar to the chat on February 5, 2008, this chat became sexually explicit. During the chat, m w told me to: “spread your legs,” “touch you clit” and “make it wet, rub your clit.” During this exchange, m w said he was “touchin myself” and “stroking myself.” The following chat occurred at approximately 11:59 a.m.:

m w: stick a finger in  
 undercover: i treid that already didnt work  
 undercover: mayb m nerus or somthin  
 m w: you need a cock in there  
 undercover: nervus  
 undercover: hehe  
 m w: would you  
 undercover: mayb  
 m w: maybe  
 m w: lol  
 m w: i like that  
 undercover: u do  
 m w: yeah  
 m w: dunno about you though  
 undercover: wjhat u meen?  
 m w: you're way younger than I am  
 undercover: k  
 m w: would you want to  
 m w: no you probably don't  
 undercover: mayb  
 m w: maybe for me

9. On February 12, 2008, m w initiated another chat. Similar to the previous chats, this chat became sexually explicit. During this chat m w asked if I would ever want to do something with him and whether I would ever meet him. As part of this discussion, m w suggested meeting at the "Umall" and said we could "eat . . . then we could find someplace where we can make out."

10. On Wednesday February 13, 2008, m w and I again chatted online and discussed meeting in person. He then asked if I would let him hug me and kiss me on the cheek and lips. He discussed having to go to Williston on Sunday and asked if I would be free on Sunday. We then discussed meeting at the University Mall in South Burlington on Sunday around noon. He wanted to make sure I came alone because he did not want "the damn cops hanign from the rafters." In a subsequent email to m w I indicated I was unable to meet him on Sunday.

11. On February 19, 2008, m w and I discussed meeting at the University Mall on February 20, 2008 at 6:00 p.m. A portion of that chat is as follows:

m w: do you still want to meet me though  
undercover: i do  
undercover: if u want 2  
m w: yes I would love to  
undercover: what u want 2 do 4 reel  
m w: hang out, get to know you and if it's okay with you,  
make out  
undercover: thats ok  
undercover: r u gonna be safe wit me?  
m w: safe as in  
undercover: u kno..  
m w: sex  
undercover: yeah  
m w: only if YOU want it  
undercover: i said i did b4  
m w: you want me to take your cherry  
...  
undercover: r u gonna b safe?  
m w: yes I will be safe ...  
undercover: like how?  
m w: condoms  
undercover: k  
undercover: do those hurt?  
m w: no they should not hurt  
m w: hurt but where do we do it  
undercover: i dunno  
undercover: wher do u think?  
m w: backseat of my car but we have to wait until dark

12. On February 20, 2008, m w and I again chatted online and discussed meeting at the University Mall in the food court near the Dunkin Donuts at 6:00 p.m. During this chat, m w indicated he would be wearing a maroon jacket.

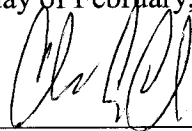
13. During the course of these chats, m w sent me a photograph of himself and sent me emails from a hotmail.com account. The name on the emails sent by m w identified the sender as

"Michael Woodley." Utilizing this name I searched law enforcement databases for a 29 year old male from St. Albans, VT named Michael Woodley. The search returned a drivers license in the name of Michael Woodley from St. Albans, VT. The photograph on the drivers license matches the photograph m w sent to me during one of the chats.

13. At approximately 6:00 p.m. on February 20, 2008, a male matching the physical description and picture of Michael Woodley arrived at the University Mall in the food court near the Dunkin Donuts.

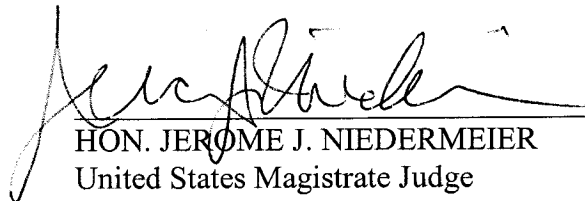
14. Michael Woodley was subsequently interviewed by law enforcement. During the interview, Woodley admitted he had met a 14 year old girl over the internet and was at the University Mall to meet with her. He indicated he had made arrangements to have sex with her when he met her and had brought several condoms which he indicated were located in the trunk of his vehicle in a three ring binder. During a search of his vehicle, the condoms were located in the trunk in a three ring binder.

Dated at <sup>S</sup>Burlington, Vermont, this 26<sup>th</sup> day of February, 2008.



ANDREW CHAULK  
South Burlington Police Department

Sworn to and subscribed before me this 20<sup>th</sup> day of February, 2008.



HON. JEROME J. NIEDERMEIER  
United States Magistrate Judge